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April 29, 1999

Alfred W. Ricciardi, Esq
Robbins & Green, P.A
1800 Northwest Tower
3300 North Central Avenue
Phoenix, AZ 85012-2518

Re: Indian Bend Wash Superfund Site, South Study Area
Circuit Express, Inc.

Dear Mr Ricciardi.

-- -- This is in response to your letter to me dated April 9, 1999. Because I was out of the office from the afternoon of April 12 until April 27, my schedule did not permit me to respond to your letter until this week.

Your letter indicates a misapprehension of the United States Environmental Protection Agency's ("EPA's") determination about Circuit Express, Inc.'s role at the Indian Bend Wash Superfund Site, South Study Area ("the Site"). As we discussed during our telephone call of April 7, 1999, EPA has determined only that Circuit Express, Inc., is not currently included as a potentially responsible party ("PRP") and respondent in the recently proposed and circulated draft Administrative Order on Consent for remedial design of a portion of the groundwater remedy for the Site. EPA is still investigating Circuit Express's potential contribution to the groundwater contamination at the Site and could determine in the future based on appropriate information that Circuit Express should be included as a groundwater PRP. Moreover, Circuit Express has not been ruled out as a PRP for the soils contamination. Accordingly, it is incorrect to state, as your letter does, that EPA "has determined that Circuit Express will not be included as a Potentially Responsible Party ("PRP") for any issues in this Superfund investigation."


Alfred W. Ricciardi, Esq.

April 29, 1999

Page 2

I hope this clarifies EPA's position concerning Circuit Express. Please telephone me at the above telephone number if you wish to discuss this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Kath B. Steuer", followed by a horizontal line.

Katherine B. Steuer
Assistant Regional Counsel

Alfred W Ricciardi, Esq

April 29, 1999

Page 3

bcc: Nancy Riveland-Har, EPA
Clifford Davis, EPA